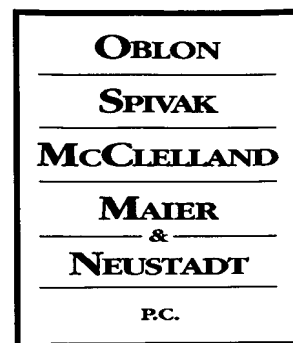




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Docket No.: 209081US0PCT

COMMISSIONER FOR PATENTS  
ALEXANDRIA, VIRGINIA 22313



ATTORNEYS AT LAW

RE: Application Serial No.: 09/868,628  
Applicants: Narinobu KAGAMI, et al.  
Filing Date: June 26, 2001  
For: HYDROGENATION CATALYST FOR  
HYDROCARBON OIL, CARRIER FOR IT, AND  
METHOD OF HYDROGENATION OF  
HYDROCARBON OIL  
Group Art Unit: 1754  
Examiner: Cam Nguyen

SIR:

Attached hereto for filing are the following papers:

**Response to Requirement for Restriction**

Our check in the amount of \$0.00 is attached covering any required fees. In the event any variance exists between the amount enclosed and the Patent Office charges for filing the above-noted documents, including any fees required under 37 C.F.R. 1.136 for any necessary Extension of Time to make the filing of the attached documents timely, please charge or credit the difference to our Deposit Account No. 15-0030. Further, if these papers are not considered timely filed, then a petition is hereby made under 37 C.F.R. 1.136 for the necessary extension of time. A duplicate copy of this sheet is enclosed.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,  
MAIER & NEUSTADT, P.C.

Norman F. Oblon  
Registration No. 24,618



22850

(703) 413-3000 (phone)  
(703) 413-2220 (fax)

Rohitha M. Jayasuriya  
Registration No. 50,385

DOCKET NO.: 209081US0PCT



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6/25/03

IN THE UNITED STATES PATENT & TRADEMARK OFFICE

IN RE APPLICATION OF :  
NARINOBU KAGAMI, ET AL. : EXAMINER: NGUYEN, CAM N  
SERIAL NO: 09/868,628 :  
FILED: JUNE 26, 2001 : GROUP ART UNIT: 1754  
FOR: HYDROGENATION CATALYST :  
FOR HYDROCARBON OIL,  
CARRIER FOR IT, AND METHOD  
OF HYDROGENATION OF  
HYDROCARBON OIL

RESPONSE TO REQUIREMENT FOR RESTRICTION

COMMISSIONER FOR PATENTS  
ALEXANDRIA, VIRGINIA 22313

SIR:

In response to the Official Action of May 20, 2003, Applicants elect, with traverse,  
Group I, Claims 1-8, 10-21, 31-32, 34-38 and 40-51, drawn to a hydrogenation catalyst and  
its method of production.

REMARKS

The Office has required restriction in the present application as follows:

- Group I: Claims 1-8, 10-21, 31-32, 34-38 and 40-51, drawn to a hydrogenation catalyst and its method of production;
- Group II: Claims 23-30 and 52-58, drawn to a carrier and its method of production; and
- Group III: Claims 9, 22, 33, 39 and 59, drawn to a method of hydro-desulfurization of hydrocarbon.

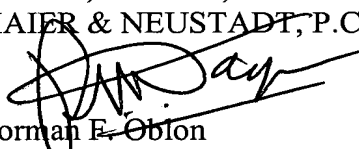
The Requirement for Restriction is traversed on the following grounds.

This application is a 35 U.S.C. §371 national stage of international application PCT/JP00/0726 filed October 19, 2000, and is properly subject to restriction only under the PCT rules. As noted in MPEP §1895.01(D), restriction practice under 35 U.S.C. §121, as it applies to national applications submitted under 35 U.S.C. §111(a), is not applicable to a national stage application such as this one. Applicants respectfully point out the PCT administrative instructions in MPEP, Annex B, Part 1, which provide direction on restriction practice under the PCT rules. Therefore, the Office has not made out a proper case of restriction under the PCT rules. Accordingly, Applicants respectfully request withdrawal of the Requirement for Restriction.

Applicants respectfully submit that the above-identified application is now in condition for examination on the merits, and early notice thereof is earnestly solicited.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,  
MAIER & NEUSTADT, P.C.



Norman E. Oblon  
Attorney of Record  
Registration No.: 24,618

Rohitha M. Jayasuriya  
Registration No. 50,385



**22850**

PHONE: (703) 413-3000  
FAX: (703) 413-2220  
NFO:RMJ: